

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI

IN RE:
TIMOTHY ALAN GERALD
3005 Cove Lane
Ruth, MS 39662

CHAPTER 13 PROCEEDING:
17-03108 KMS

MOTION TO DISMISS AND NOTICE

COMES NOW, Chapter 13 Trustee J.C. BELL, and files this his Motion to Dismiss the above proceeding for the reason that the Debtor(s) has failed to make payments into the Plan as required by Chapter 13 of the Bankruptcy Code.

NOTICE IS HEREBY GIVEN, to the Debtor(s), that unless the sum of \$5,302.50, the amount due through the end of the month, plus accruing payments, is received by the Trustee on or before July 31, 2018, or a responsive pleading is filed with the Clerk of the Court, with a copy to the Trustee and U. S. Trustee, within twenty-one days of this Notice, the Chapter 13 proceeding of the above Debtor(s) will be dismissed.

NOTICE IS FURTHER GIVEN that, in the event a responsive pleading is filed, a trial on the matter will be held at the **U.S. William M. Colmer Federal Building, Court Room #1, 701 N Main Street, Hattiesburg, MS 39401 on August 23, 2018, at 10:30 am.**

WHEREFORE, Trustee moves this Court to enter an Order Dismissing Case. Alternatively, should the Debtor(s) submit necessary funds and/or file a responsive pleading, as stated herein, resulting in an Order Denying Motion to Dismiss, said Order shall contain a STRICT ENFORCEMENT PROVISION.

DATED: July 10, 2018

/s/ J.C. BELL

J.C. BELL, TRUSTEE
P.O. BOX 566
HATTIESBURG, MS 39403
(601) 582-5011

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CERTIFICATE OF SERVICE

I, J.C. BELL, Trustee, do hereby certify that I have transmitted electronically via CM/ECF and/or mailed this day by first class mail, a true and correct copy of this MOTION TO DISMISS AND NOTICE to the Debtor(s) and attorney listed below.

DEBTOR:

TIMOTHY ALAN GERALD

3005 Cove Lane

Ruth, MS 39662

ATTORNEY FOR DEBTOR(S)

RICHARD R. GRINDSTAFF

P O BOX 720517

BYRAM, MS 39272

DATED: July 10, 2018

/s/ J.C. BELL

J.C. BELL, TRUSTEE